



AMERICAN RECOVERY AND REINVESTMENT (FEDERAL STIMULUS) ACT OF 2009

JUDICIAL BRANCH, LAW ENFORCEMENT, AND JUSTICE (SECTION D)

February 27, 2009

| Agency/Function | Description | Conditions on the Money? | How Distributed? | How Much? | Need to be Appropriated? | Issues/Comments/Legislative Decision Points |
|---|---|--|--|--|--------------------------|---|
| Local Agencies, Montana Board of Crime Control, Department of Justice, Courts | Byrne (Justice Assistance Grants) purpose areas: law enforcement, prosecution and court programs, prevention and education programs, corrections and community corrections, drug treatment and enforcement, planning, evaluation and technology improvement programs, crime victim and witness programs (other than compensation) | <p>Yes, bulk of funding has traditionally gone to local agencies through grant application process</p> <p>Funds available until September 30, 2010 (generally)</p> <p>No administrative overhead costs</p> <p>Available until Sept. 30, 2010</p> | <p>Formula grants to states and local law enforcement agencies – Typically split 60/40 between state and local recipients</p> <p>Competitive grants to variety of agencies</p> | MT - \$5 million per information from Sen. Tester's office (formula grants) (\$3 million state, \$2 million local) | yes | <p>---Traditionally, the bulk of this funding has flowed to local agencies, either directly or as pass through grants. The Montana Board of Crime Control (MBCC) may need additional federal authority depending upon allocation of funding for pass through grants. However, MBCC has significant federal authority and traditional language that carries authority forward from biennia to biennia so care must be used to make certain a large amount of federal authority does not become appropriated on an ongoing basis (without out cash to support spending).</p> <p>---Other agencies may need additional federal authority if grants are applied for and awarded.</p> <p>---If state agencies apply for and receive competitive grant funding it might increase funding available for certain programs or be used to offset increased state support. However, this funding is available on a short-term basis and the potential for future funding shifts (request to replace federal funds with state funds) and the impact on program continuation should be considered.</p> <p>---The legislature may wish to include language that reduces funding in the event that any competitive grant is received and conditions of the grant/stimulus package permits offset of general fund costs.</p> <p>---Byrne (Justice Assistance Grants) federal funding for state pass through grants (Montana's share) was significantly reduced from \$1,523,321 in FY 2007 to \$336,694 in FY 2008. The portion of the stimulus package that would be provided to states for pass through grants is unknown. If significant, additional grant administration staff may be needed on a short term basis.</p> |

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| Local Agencies, Montana Board of Crime Control, Department of Justice | Community Oriented Policing Services (COPS)– Increase number of law enforcement officers COPS Hiring Recovery Program (CHRP) | <p>Yes, 100 percent of entry level salary for three years for new hires or rehires of those laid off, recipient must fund (retain) position in the fourth and subsequent years</p> <p>Funding has traditionally gone to local agencies through grant application process</p> <p>No administrative costs</p> <p>Funds available until September 30, 2010 (generally)</p> | <p>competitive grants that various entities may apply to receive applications accepted only online through COPS office website: www.cops.usdoj.gov Grants under section 1701 of Title I of the 1968 Omnibus Crime Control and Safe Streets Act (42 USC 3796dd)</p> | \$1 billion in grant funding, | | <p>If state agencies apply for and receive competitive grant funding it might increase funding available for certain programs or be used to offset increased state support. However, recipient must maintain added positions and fund them in the fourth and subsequent years.</p> <p>The legislature may wish to include language that reduces funding in the event that any competitive grant is received and conditions of the grant/stimulus package permits offset of general fund costs.</p> |

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| Local Agencies, Montana Board of Crime Control, Department of Justice | Violence Against Women Prevention and Prosecution Programs | The bulk of funding has traditionally gone to local agencies through grant application process | \$175 million for formula grants and \$50 million for transitional housing assistance grants | MT - \$1,018,559 per information from Sen. Tester's office (formula grant) \$0 in conference version per FFIS | | If state agencies apply for and receive competitive grant funding it might increase funding available for certain programs or be used to offset increased state support. However, recipient must maintain added positions and fund them in the fourth and subsequent years. The legislature may wish to include language that reduces funding in the event that any competitive grant is received and conditions of the grant/stimulus package permits offset of general fund costs. |
| | | 25 percent nonfederal match No administrative costs Funds available until September 30, 2010 | | Per bill text \$225 million to improve function of criminal justice systems, assist victims of crime (other than compensation) and youth mentoring grants | | |
| Local Agencies, Montana Board of Crime Control, Department of Justice | Internet Crimes Against Children | The bulk of funding has traditionally gone to local agencies through grant application process No administrative overhead costs Funds available until September 30, 2010 | Not specified | MT - \$403,670 per information from Sen. Tester's office | | If state agencies apply for and receive competitive grant funding it might increase funding available for certain programs or be used to offset increased state support. The legislature may wish to include language that reduces funding in the event that any competitive grant is received and conditions of the grant/stimulus package permits offset of general fund costs. |

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| Local Agencies, Montana Board of Crime Control, Department of Justice | Assistance and equipment for law enforcement for Southern border & hi-intensity drug trafficking areas to combat criminal narcotics activity stemming from the southern border | No administrative overhead costs Available until Sept. 30, 2010 | Competitive grants | Per bill text \$40 million | | Same as above |
| Local Agencies, Montana Board of Crime Control, Department of Justice | Assistance to Indian tribes for grants under section 20109 of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (PL 103-322) | | Grants to Indian tribes for the purposes of constructing jails on tribal lands for the incarceration of offenders subject to tribal jurisdiction. | Per bill text \$225 million | | Grants to tribes |
| Department of Justice | Office of Victims Crime in accordance with section 1402(d)(4) of the Victims of Crime Act of 1984 (PL 98-473) (victim's compensation) | No administrative overhead costs Available until Sept. 30, 2010 | PL 98-473 Formula grants | MT – \$222,847 per information from Sen. Tester's office (formula grants) Per bill text \$100 million | | If state applies for and receives grant funding it might increase funding available for certain programs or be used to offset increased state support or in this case allow the department to accelerate the payment of claims pending but unpaid due to a lack of available funding. The legislature may wish to include language that reduces funding in the event that any competitive grant is received and conditions of the grant/stimulus package permits offset of general fund costs. |

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| Local Agencies, Montana Board of Crime Control, Department of Justice | Assistance to law enforcement in rural states and rural areas to prevent and combat crime, especially drug-related crime | | Competitive grants | Per bill text \$125 million | | Same as above |
| Public Service Regulation | Increased funding for a variety of energy transmission and telecommunication items such as: Broadband, Bonneville Power Administration, Smart Grid | Na | Appears funding goes to private entities | Unknown | yes | Potential impact on Public Service Regulation activities may need statutory authority to collect data, statute requiring that telecommunications providers report data, and funding to work on broadband access related issues. Also, legislature may wish to designate lead agency |
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| Public Service Regulation | Renewable energy funding | Decoupling provisions | Na | Na | Na | Stimulus bills contains provisions regarding requirements for states seeking a share of \$4 billion in renewable-energy funding to change their electric utility rate structures by untying power company revenue from sales. Final provisions less stringent than previous drafts, PSC staff indicate they think Montana meets the three criteria required for eligibility for grants |
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| Federal Law Enforcement Agencies | Tactical law enforcement wireless communications | | Appears to be directed at federal law enforcement agencies | \$200 million – proposed amendment (\$100 million) for net of \$100 million | Na | Appears to be targeted to federal law enforcement agencies (FBI, DEA, etc) |